

Application No.: 10/713,017  
Responsive to Official Action of May 18, 2007  
Examiner: Shaw Voon WONG et al.  
Art Unit: 2129

REMARKS

Reconsideration of the pending application is respectfully requested on the basis of the following particulars:

Foreign priority

Applicants note that the present application claims priority of Malaysian application P12004308, which was filed on November 18, 2002.

The examiner is referred to the Application Data Sheet (ADS) filed with the present application on November 17, 2003, wherein the claim for foreign priority is found on page 3 of the ADS.

The examiner is further referred to the certified copy of the foreign priority application which is found in the Image File Wrapper under the document description “Certified Copy of Foreign Priority Application” dated November 17, 2003. Applicants note that the foreign priority application is in the English language.

The examiner is requested to acknowledge the claim for foreign priority, and receipt of the priority document, in the next Office communication.

Requirement under 37 CFR 1.105

In the recent Office action, the examiner has made a requirement under 37 CFR 1.105 to provide information that the examiner has determined to be reasonably necessary to the examination of this application.

In particular, in view of a reference in the specification to “promising results have been shown in prior-arts by the inventor,” the examiner has requested copies of each publication which any of the applicants authored or co-authored and which describe the disclosed subject matter of the pending claims.

The reference to “prior-arts by the inventor” refers to several publications co-authored by the applicants of the present application. Applicants have submitted herewith

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in Information Disclosure Statement (IDS) listing these papers. Applicants note, however, that none of these papers has a publication date more than one year prior to the priority date of the present application. Accordingly, none of these papers can be applied as prior art forming a basis for rejection of claims 9 and 15.

The examiner has further requested a statement of specific improvements of the subject matter in claims 9 and 15 over the disclosed prior art. However, since, as noted above, none of these papers can be applied as prior art forming a basis for rejection of claims 9 and 15, it is respectfully submitted that the requirement for such a statement with respect for the papers identified on the IDS is moot.

Applicants note that the examiner has identified three additional papers co-authored by the Applicants of the present application on the Notice of References Cited (form PTO-892) included with the recent Office action. Further, Applicants note that these papers, in the English language, are found to be of record in the Image File Wrapper of the present application. Accordingly, it is respectfully submitted that the papers listed by the examiner on form PTO-892 with the recent Office action are outside of the scope of the requirement under 37 CFR 1.105, and are not listed on the IDS or further addressed with respect to the requirement.

Rejection of claim 12 under 35 U.S.C. § 112, second paragraph

Claim 12 is presently rejected as being indefinite. In particular, the examiner notes that claim 12 is dependent upon a cancelled claim (claim 11). Claim 12 is amended to depend from claim 9. In view of this amendment, withdrawal of this rejection is requested.

Rejection of claims 9, 10, and 12-17 under 35 U.S.C. § 103(a)

Claims 9 and 12-17 presently stand rejected as being unpatentable over “A fuzzy logic based expert system for machinability data-on-demand on the Internet” (Wong, S.V. and Hamouda, A.M.S., June 2002, hereafter Wong J02) in view of Takagi (U.S. 5,168,549), and claim 10 is rejected as unpatentable over Wong J02 and Takagi in view of

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Art Unit: 2129

“Development of genetic algorithm-based fuzzy rules design for metal cutting data selection” (Wong, S.V. and Hamouda, A.M.S., February 2002, hereafter Wong F02). These rejections are respectfully traversed for at least the following reasons.

Accordingly, the present application is entitled to a priority date of November 18, 2002. However, Wong J02 was published in June of 2002, and Wong F02 was published in February of 2002.

Therefore, neither Wong J02 nor Wong F02, both publications by the inventors of the present application, can be applied as prior art against the presently pending claims, since both Wong J02 and Wong F02 were published less than one year prior to the priority date of the present application.

Accordingly, it is respectfully submitted that claims 9, 10, and 12-17 are allowable over Wong J02, Takagi, and Wong F02, and withdrawal of the rejection is requested.

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Art Unit: 2129

Conclusion

In view of the amendments to the claims, and in further view of the foregoing remarks, it is respectfully submitted that the application is in condition for allowance. Accordingly, it is requested that claims 9, 10, and 12-17 be allowed and the application be passed to issue.

If any issues remain that may be resolved by a telephone or facsimile communication with the Applicant's attorney, the Examiner is invited to contact the undersigned at the numbers shown.

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Respectfully submitted,



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